

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT K. DAVIS	:	CIVIL ACTION
	:	
v.	:	
	:	
RANDALL N. SEARS, et al.	:	NO. 12-4657

ORDER

AND NOW, this 14<sup>th</sup> day of February, 2013, upon consideration of the petitioner's Petition for Writ of Habeas Corpus (Docket No. 28), and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, and the petitioner's objections, IT IS HEREBY ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petitioner's objections are overruled;
3. The Petition for Writ of Habeas Corpus is DISMISSED with prejudice;
4. There is not probable cause to issue a certificate of appealability; and
5. The Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ Mary A. McLaughlin\_\_\_\_\_  
MARY A. McLAUGHLIN, J.